

The opinion in support of the decision being entered today is not binding precedent of the Board.

19
Paper

Filed by: Mark Nagumo
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19 February 2003

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES

ROLAND ANDREE,
MARK WILHELM DREWES, MARKUS DOLLINGER,
and HANS-JOACHIM SANTEL

Junior Party
(Patent No. 6,251,828),

v.

RALF KLINTZ, PETER SCHAEFER,
GERHARD HAMPRECHT, ELISABETH HEISTRACHER,
HANS-JOSEF WOLF, KARL-OTTO WESTPHALEN,
MATTHIAS GERBER, UWE KARDORFF, HELMUT WALTER,
and KLAUS GROSSMANN

Senior Party
(Application No. 09/733,554).

Patent Interference 105,039 (NAGUMO)

ORDER GRANTING KLINTZ MISCELLANEOUS MOTION NUMBER 1

Background

1. On 19 February 2003, in response to an invitation by the undersigned Administrative Patent Judge (Paper No. 23 at 8), Klintz filed a motion to amend its claim 53. (Paper No. 24.)

2. Specifically, Klintz seeks to define the moieties X¹ and X² as oxygen or sulfur. (Id. at 2.)

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3. Klintz states that the parties have agreed that the motion shall be filed without opposition. (Id. at 4.)

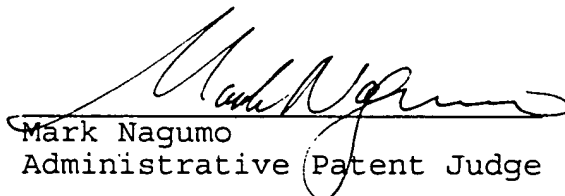
Order

In consideration of the foregoing, it is
ORDERED that Klintz's unopposed miscellaneous motion is
GRANTED;

FURTHER ORDERED that a copy of this order shall be placed in the file of Klintz's application Serial No. 09/733,554;

FURTHER ORDERED that all dates set in this proceeding remain in effect;

FURTHER ORDERED that if there is a settlement agreement, attention is directed to 35 U.S.C. § 135(c) and 37 C.F.R. § 1.661.


Mark Nagumo
Administrative Patent Judge

Interference 105,039
cc (via facsimile and first class mail):

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